

1 **WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP**
2 DON SPRINGMEYER, ESQ.
3 Nevada Bar No. 1021
4 DANIEL BRAVO, ESQ.
5 Nevada Bar No. 13078
3556 E. Russell Road, Second Floor
Las Vegas, Nevada 89120
(702) 341-5200 / Fax: (702) 341-5300
dspringmeyer@wrslawyers.com
dbravo@wrslawyers.com

(Additional Counsel on Signature Page)

Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JAMIE PETTY,

Plaintiff,

VS.

BLUE SKIES GROUP, LLC; BLUE SKIES AVIATION GROUP HOLDINGS LLC; STEPHEN WILL ASHCROFT; and ROBERT CAPUTO.

Defendants.

Case No: 2:18-cv-0352-RFB-GWF

**STIPULATION AND ORDER TO
EXTEND TIME FOR DEFENDANTS
BLUE SKIES GROUP, LLC, BLUE
SKIES AVIATION GROUP
HOLDINGS LLC, STEPHEN WILL
ASHCROFT, AND ROBERT
CAPUTO TO FILE AN ANSWER OR
RESPONSIVE PLEADING**

(First Request)

Pursuant to LR II 7-1, the parties hereby jointly stipulate to extend the time in which Defendants BLUE SKIES GROUP, LLC, BLUE SKIES AVIATION GROUP HOLDINGS LLC, STEPHEN WILL ASHCROFT, and ROBERT CAPUTO may file an answer or a motion under Rule 12.

Plaintiff contends that BLUE SKIES GROUP, LLC was served on March 6, 2018, although Defendants dispute that service date (as well as the propriety of the forum, as an arbitration clause exists in the relevant contract). Defendants do not dispute that Defendant STEPHEN WILL ASHCROFT was served on March 29, 2018 and that Defendant ROBERT CAPUTO was served on March 28, 2018. Based upon the disputed service date, the deadline for

1 BLUE SKIES GROUP, LLC to file an answer or a motion under Rule 12 was March 27, 2018,
2 and the parties agree that all defendants may have sixty-five (65) days from that date, up to and
3 including May 31, 2018 in which to file a response. The additional time is requested so that the
4 parties can schedule and conduct a mediation before responsive pleadings are due. Per LR IA 6-
5 1, excusable neglect exists for the failure of the parties to file this stipulation prior to March 27,
6 2018, both due to the dispute over service and the ongoing discussions in which the parties
7 eventually agreed to mediate before incurring the costs of continued litigation.

8 ///

9 ///

10 ///

11 ///

12 ///

13 ///

14 ///

15 ///

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28

1 This is the first request for an extension of time to file an answer or a motion under
2 Rule 12.

3 **RESPECTFULLY SUBMITTED,**

4 DATED this 4th day of April, 2018.

5 **WOLF, RIFKIN, SHAPIRO,
SCHULMAN & RABKIN, LLP**

6
7 By: /s/ Daniel Bravo
Don Springmeyer, Esq. (SBN 1021)
Daniel Bravo, Esq. (SBN 13078)
3556 E. Russell Road, Second Floor
Las Vegas, Nevada 89120
(702) 341-5200 / Fax: (702) 341-5300
dspringmeyer@wrslawyers.com
dbravo@wrslawyers.com

11 Warren T. Burns, Esq. (*Pro Hac to be Submitted*)
12 LeElle Krompass, Esq. (*Pro Hac to be Submitted*)
13 Mallory Biblo, Esq. (*Pro Hac to be Submitted*)
BURNS CHAREST LLP
14 5900 Jackson Street, Suite 500
Dallas, Texas 75202
Telephone: (469) 904-4550
Facsimile: (469) 444-5002
wburns@burnscharest.com
lkrompass@burnscharest.com
mbiblo@burnscharest.com

17 Korey A. Nelson, Esq. (*Pro Hac to be Submitted*)
BURNS CHAREST LLP
18 365 Canal Street, Suite 1170
19 New Orleans, Louisiana 70130
Telephone: (504) 799-2845
Facsimile: (504) 881-1765
knelson@burnscharest.com

21 *Attorneys for Plaintiff*

2 **WILSON, ELSE, MOSKOWITZ,
EDELMAN AND DICKER, LLP**

3 By: /s/ Sheri Thome
Sheri Thome, Esq. (SBN 8657)
300 South Fourth Street, Suite 1100
Las Vegas, Nevada 89101
(702) 727-1400 / Fax: (702) 727-1401
Sheri.Thome@wilsonelser.com

4 Jonathan P. Whitcomb, Esq. (*Pro Hac to
be Submitted*)
DISERIO MARTIN
One Atlantic Street
Stamford, CT 06901
(203) 358-0800 / Fax: (203) 559-7146
jwhitcomb@dmoc.com

5 *Attorneys for Defendants Blue Skies
Group, LLC, Stephen Will Ashcroft, and
Robert Caputo*

23 **ORDER**

24
25 
26 United States District Judge or Magistrate Judge

27 DATED: 4-5-2018

1 CERTIFICATE OF SERVICE

2 I hereby certify that on this 4th day of April, 2018, a true and correct copy of
3 **STIPULATION AND ORDER TO EXTEND TIME FOR DEFENDANTS BLUE SKIES**
4 **GROUP, LLC, BLUE SKIES AVIATION GROUP HOLDINGS LLC, STEPHEN WILL**
5 **ASHCROFT, AND ROBERT CAPUTO TO FILE AN ANSWER OR RESPONSIVE**
6 **PLEADING** was served via the United States District Court CM/ECF system on all parties or
7 persons requiring notice.

8

9 By: /s/Christie Rehfeld

10 Christie Rehfeld, an Employee of
11 WOLF, RIFKIN, SHAPIRO, SCHULMAN &
12 RABKIN, LLP

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28